

NOTE: This order is nonprecedential.

**United States Court of Appeals
for the Federal Circuit**

**AARON G. FILLER, AS AN INDIVIDUAL AND ON
BEHALF OF NEUROGRAFIX-SOLE
PROPRIETORSHIP, NEUROGRAFIX,
NEUROGRAPHY INSTITUTE MEDICAL
ASSOCIATES, INC., IMAGE-BASED SURGICENTER
CORPORATION,**
Plaintiffs-Appellants

v.

UNITED STATES,
Defendant-Appellee

2021-1552

Appeal from the United States Court of Federal Claims
in No. 1:19-cv-00173-RTH, Judge Ryan T. Holte.

**ON PETITION FOR PANEL REHEARING AND
REHEARING EN BANC**

Before MOORE, *Chief Judge*, NEWMAN, LOURIE, DYK, PROST, REYNA, WALLACH¹, TARANTO, CHEN, HUGHES, STOLL, CUNNINGHAM, and STARK, *Circuit Judges*.*

PER CURIAM.

O R D E R

Aaron G. Filler filed a combined petition for panel rehearing and rehearing en banc. The petition was referred to the panel that heard the appeal, and thereafter the petition for rehearing en banc was referred to the circuit judges who are in regular active service.

Upon consideration thereof,

IT IS ORDERED THAT:

The petition for panel rehearing is denied.

The petition for rehearing en banc is denied.

The mandate of the court will issue April 13, 2022.

FOR THE COURT

April 6, 2022
Date

/s/ Peter R. Marksteiner
Peter R. Marksteiner
Clerk of Court

¹ Circuit Judge Wallach participated only in the decision on the petition for panel rehearing.

* Circuit Judge O'Malley retired on March 11, 2022.